

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LARSEN
 Serial No.: 09/623,426
 Filed: April 3, 2001
 For: ANIMAL BREEDING SYSTEM
 Confirmation No.: 5642



Art Unit: 3643
 Examiner: PRICE, R.
 Washington, D.C.
 Atty.'s Docket: LARSEN=1
 Date: May 19, 2006

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314
 Sir:

Transmitted herewith is an ☐ Amendment ☒ Election with Traverse and Preliminary Amendment No. 2 in the above-identified application.

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.

☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate	Additional Fee
Total	72	Minus	68	4		x 25	\$100.00		x 50	\$
Indep.	1	Minus	3	0		x100	\$		x200	\$
First Presentation of Multiple Dependent Claim						180	\$		+360	\$
TOTAL ADDITIONAL CLAIMS FEE							\$100.00		Total	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity		Other Than Small Entity	
Response Filed Within		Response Filed Within	
<input type="checkbox"/> First	- \$ 60.00	<input type="checkbox"/> First	- \$ 120.00
<input type="checkbox"/> Second	- \$ 225.00	<input type="checkbox"/> Second	- \$ 450.00
<input type="checkbox"/> Third	- \$ 510.00	<input type="checkbox"/> Third	- \$1020.00
<input type="checkbox"/> Fourth	- \$ 795.00	<input type="checkbox"/> Fourth	- \$1590.00
<input type="checkbox"/> Fifth	- \$1080.00	<input type="checkbox"/> Fifth	- \$2160.00

☐ Less fees (\$) already paid for months extension of time on

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached (check no.).

☒ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$100.00 is attached.

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case.

This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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By:
 IVER P. COOPER
 Registration No. 28,005



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ELECTION WITH TRAVERSE

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S i r :

In response to the April 19, 2006 restriction requirement, applicants elect group I-A (claims 1-47) and species 3, both with traverse.

1. It is noted that the restriction was applied to claims 66 and 69 even though those claims were previously cancelled. The Examiner should make sure that the September 5, 2000 preliminary amendment was entered.

2. Group I was subdivided into subgroups (e), (f) and "(g)" because elements (e), (f) and "(g)" (sic) of claim 1 were made optional. Claim 1 doesn't in fact identify any element as "(g)", but we surmise that the examiner may have been thinking of the "optionally connected to a waste treatment plant" limitation at the end of (f).

3. The instant application is the national stage of a PCT application, so PCT unity rules apply.

4. We have amended claim 1 to excise reference to elements (e), (f) and "(g)". Of course, since claim 1 is open in form ("comprising"), it still reads on systems which add one or more